



Dkt. 76786/JPW/ACK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Peter David East and Susan Elizabeth Brown

Serial No.: 10/590,539

Examiner: Gangle, B.J.

Filed : May 30, 2007 (S371)

Group Art Unit: 1645

For : ANTIFUNGAL PEPTIDES

30 Rockefeller Plaza, 20<sup>th</sup> Fl.  
New York, New York 10112  
January 6, 2010

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL FROM THE EXAMINER'S DECISION  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Rejection mailed July 6, 2009 finally rejecting claims 6, 8-10, 13 and 15 in the above-identified application.

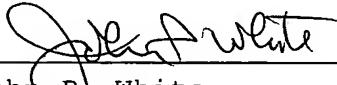
Applicants are concurrently filing a Petition for a Second and Third-Month Extension of Time. With a second and third-month extension of time, the subject application is pending as of today, January 6, 2010. Accordingly, this Notice of Appeal is being timely filed.

The required fee for filing a Notice of Appeal under 37 C.F.R. §1.17(b) is FIVE HUNDRED FORTY DOLLARS (\$540.00) and a check for this amount is enclosed.

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Page 2

No fee, other than the enclosed \$540.00 fee for filing a Notice of Appeal, is deemed necessary in connection with the filing of this Notice Of Appeal. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

  
John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham, LLP  
30 Rockefeller Plaza, 20<sup>th</sup> Floor  
New York, New York 10112  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

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11/10/00

John P. White  
Reg. No. 28,678

Date